Collecting Sensitive Information from Drug Users
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Abstract: This paper addresses the issue of how to approach gathering sensitive data in less-than-ideal circumstances. We discuss the challenges presented in gathering data about drug use and drug market participation among arrestees, and will suggest strategies to overcome these challenges. Themes include the importance of participants' understanding that the research is not part of their individual criminal case and overcoming skepticism that this is really so, the need to hire culturally appropriate interviewers for populations likely to be found among local arrestees, and the importance of appropriate cultural competence training for staff in relevant areas including local drug market conditions, typical local criminal income generation strategies, and other factors relevant to arrestees' lives.

Introduction: The Challenges Of Gathering Data From Arrestees

Drawing on data from studies of past efforts to gather data from drug-using arrestees and the authors' many years gathering similar data in the context of ethnographic and survey-based studies, we describe and discuss the challenges of gathering data from recently-arrested drug users, and present some approaches and strategies to effectively gathering this sensitive data in less-than-ideal circumstances. All drug users have every reason to lie about their use in most contacts with strangers (outside the context of immediate drug use) because of the informal and formal sanctions against drug use; recently arrested drug users have of course just been forcefully reminded of the latter.

All studies of drug use or other illegal behavior struggle with the issue of study participants under-reporting (and sometimes, over-reporting) illegal or socially-sanctioned behaviors (see, e.g., Copes and Hochstetler 2010, Del Boca and Noll 2000). Gathering data about drug use and drug market participation among arrestees is a particularly difficult challenge. In examining Arrestee Drug Abuse Monitoring (ADAM) data as to the accuracy of arrestees' self reports as to their criminal justice histories, Johnson et al. (2005) found that "[a]rrestee self-reports are shown to substantially agree with official record data for the majority of arrestees… ." They further note that "it appears that … faulty memory and limitations associated with the official records, rather than outright deception by respondents, likely accounts for the lack of *precise* accuracy [emphasis added]" in ADAM participants' disclosure of their criminal justice histories. This stands in marked contrast to disclosures of drug use by the same populations.

ADAM participants were far less forthcoming as to their drug use. By far the most comprehensive analysis of ADAM data found, in reviewing other studies of ADAM data, that "disclosure rates on the order of one half are not uncommon" (Golub et al 2005). Disclosure of drug use in ADAM varied substantially by drug type, data-collection site, race, and top charge (in the specific case of methamphetamine use) (Golub et al 2005). Below, we summarize the findings of this study as to factors influencing willingness to disclose drug use:

- **Drug type:** Arrestees were most forthcoming about marijuana use, followed by methadone. Cocaine/crack, heroin, and methamphetamine use were disclosed by about half of those who tested positive for use of those substances. PCP had very low disclosure rates. This probably reflects arrestees' assessment of the varying levels of both stigma and criminal justice consequences associated with marijuana and methadone on the one hand, and cocaine/crack, heroin, and methamphetamine on the other hand. Marijuana use is the subject of comedy on TV shows and in Hollywood films, and often associated with considerably more lenient penalties than other drug offenses, while methadone is dispensed legally as a form of drug treatment. The use of cocaine/crack, heroin, and methamphetamine is highly stigmatized by society generally (there is no equivalent of Cheech and Chong for any of these substances, for example), and, often, by drug users and drug market participants themselves, and all these substances are also subject to severe criminal justice penalties.

- **Data-Collection Site**: Site was the largest factor associated with variation in drug-use disclosure with all drugs, except for methamphetamine where it was the second largest factor, with arrest top charge the largest factor. Golub et al. assume that this variation is due to some geographically-varying willingness to disclose drug use. If this variation is in fact due to variations in data-gathering procedures, this offers hope of improving the willingness to disclose accurate data as to drug use and drug market participation.

- **Race:** White arrestees were much more likely to disclose recent use of methamphetamine than were black arrestees and somewhat more likely to disclose use of marijuana, cocaine/crack, and heroin. This discrepancy might be accounted for if black participants used methamphetamine without knowing they were doing so. In a recent study of methamphetamine use (Wendel et al. in press), many participants who use both methamphetamine and cocaine said that they believe most or all cocaine currently available in New York City contains amphetamine. If black users of cocaine or crack are also unwitting consumers of cocaine, this might account for the discrepancy. Golub et al. recognize that unwitting use might account for low disclosure rate with regard to PCP, but don't raise this issue with regard to cocaine use.

- **Top Charge:** "Arrestees charged with drug offenses… were generally more likely than those charged with less serious offenses to disclose recent use of each drug except methadone. Arrestees for property index offenses… had higher disclosure rates than those charged with less serious offenses for each drug except PCP… and methadone. Arrestees for violent index offenses… had comparable rates as those charged with less serious offenses for each drug except PCP…"

Strategies To Overcome These Challenges

Golub et al. (2005), in response to their finding that arrestee willingness to disclose accurate information as to recent drug use varies so widely across a variety of the factors they measured, make two points. First, they recommended reliance on urinalysis and other methods (see, e.g., Bookman 2010) over self-reports: "we strongly advocate that researchers use biological indicators of recent drug use whenever possible," echoing Ronald Reagan's famous aphorism "Trust, but verify." Second, they argue, self-report data is useful, despite the identified limitations, provided that future research

develops a model of non-disclosure rates and factor this into analyses, or limit self report-data to analyses of "comparisons in use across drugs and subpopulations… [or] studies of drug use characteristics such as variation in frequency of use or mode of consumption."

They point out that the former approach of factoring in disclosure rates is complicated by the numerous factors which affect disclosure rates in their analysis, especially location, which implies the need for numerous local studies of factors influencing variation in disclosure rates. This is likely to be prohibitively expensive. As they point out, "[s]elf-reported rates of drug use simultaneously reflect the underlying rate of use and the rate of disclosure…" (Golub et al 2005).

In this section, we present strategies intended to increase the rate of disclosure of illicit drug use by arrestees, based on our experience gathering data from drug users (see, e.g., Wendel et al. in press, Curtis 2010, Wendel et al. 2003, Wendel and Curtis 2000, Curtis and Wendel 2007, 2000, Curtis, Wendel and Spunt 2001) and our review of the relevant literature.

1. **Participants Should Understand That The Research Is Not Part Of Their Criminal Case**

This is by far the most likely reason for non-disclosure; it is impossible to over-stress the importance of participants' understanding that the research is not part of their individual criminal case. Arrestees who have been recently Mirandized will have been reminded that anything they say may be used against them in court; in any case, popular culture has ingrained these words in the popular consciousness. If arrestees believe that the questions they answer will affect their criminal case, they would be foolish indeed to disclose any illegal activities of which the authorities appear to be unaware.

Recent arrestees fall into two major categories, each with characteristics that can be used to the researchers' advantage: those who have never or rarely been arrested and are scared, and those who have often been arrested and are bored. This distinction is important: recall that in Golub et al.'s (2005) study of ADAM data "[a]rrestees that did not report having had a prior arrest were substantially less likely to disclose use of each drug… except for methadone and PCP… " Those who are scared because they have little experience with arrest and the criminal justice system are likely to welcome the opportunity to talk to a neutral party (likely the first person they have encountered since arrest who is not devoted to their incarceration). Those whose extensive experience of the criminal justice system has made them less fearful of the immediate consequences of arrest are also aware of the fact that there is a great deal of waiting in their immediate future. In each case, however, the desired effect will only occur if arrestees are confident that disclosure will not be prejudicial to their criminal case.

Data-gathering staff should take care that their interactions with law enforcement and corrections staff take place "at arms' length." Where research staff frequently interact with the same law enforcement and corrections personnel in the course of data-gathering over many years, they may develop a natural friendliness as a social lubricant. This should be carefully avoided. This recommendation, so simple to state, is likely to be very difficult to put into practice, because of the strong informal social pressures to be friendly to people one frequently encounters in a work context. The recommended "arms' length" strategy may cause study personnel to be perceived as difficult by law enforcement and corrections personnel, or even to passive or active obstruction of data-gathering activities.

The trade-off is, of course, between more easily gathering less-accurate data, or the more desirable reverse of this.

Of course, there are some simple methods that can somewhat overcome fears that study staff are agents of law enforcement: study staff should wear prominent identification stating their research affiliation (this is likely to be required in most correctional facilities), and should dress and otherwise present themselves in a way that connotes "civilian" identity (see the following two recommendations). Clipboards are a useful "prop" in conveying a researcher identity in our experience.

Overcoming skepticism that it is really true that disclosure of drug use will have no criminal justice consequences will be easier if study interviewers are culturally appropriate and have received cultural competence training (our following two recommendations). This is because arrestees' perceptions of the researchers' intent will be influenced by a variety of cues; to the extent that data-gathering staff exhibit appropriate cultural cues, they will be perceived as "not the police" and will be able to gather more accurate data, because arrestees will be less likely to fear their answers will be used against them.

2. **Interviewers Should Be Culturally Appropriate For Local Arrestee Populations**

Another overlapping factor that will have a big impact on participants' willingness to accurately disclose their drug use and drug market participation will be their perception of the interviewers (Copes and Hochstetler 2010, Lord and Brennan 2005, Morselli and Tremblay 2010). Projects that seek to gather accurate data from arrestees need to hire culturally appropriate interviewers for populations likely to be found among local arrestees, and ensure that data-collection staff present themselves in a culturally appropriate manner such that local arrestee populations are most likely to trust them. This cultural appropriacy can be defined along a number of axes: race/ethnicity, age, class, and more "cultural" factors, for example, clothing associated with "hip hop" or "outlaw" country and western music might be appropriate in particular local contexts. The interviewers should be people the interviewees will feel comfortable talking to.

This is not to suggest that staff must always be of the same race/ethnicity, age, class, or wear the same shoes as the local arrestee population, but simply to state the fact that these are factors that will influence the accuracy of the data gathered.

3. **Interviewers Should Be Given Appropriate Cultural Competence Training**

Staff who ask about drug use and drug market participation in a neutral and non-judgmental manner will gather the most accurate data. A major potential reason for non-disclosure of drug use by arrestees discussed briefly by Golub et al. (2005) is stigma around drug use generally, or around particular consumption practices (e.g., injection, or the greater stigma attached to smoking cocaine ("crack") versus sniffing cocaine). This is one area where appropriate cultural competence training for staff can make a difference in disclosure rates. This may be particularly important with staff who are themselves former or recovering drug users. Of course, almost tautologically, such persons are likely to fit the recommendation that interviewers be persons who are culturally acceptable to local arrestee populations, but the training of staff who are former or recovering drug users needs to emphasize that data collection and treatment/recovery both involve disclosures about drug use but in very different contexts, and that expressing (even or

especially in non-verbal cues) personal views about the negative consequences of drug use will limit interviewees' willingness to disclose.

Data gathering staff should be very familiar with local slang and terminology used by drug users. For example, in a recent study of HIV rates among high-risk populations, we asked injection drug users in New York City about use of a variety of drugs. Hispanic injectors who recently migrated from Puerto Rico were very unlikely to report that they had ever injected ketamine or even ever heard of it, but very likely to disclose use of "*sueña de mono*" ("monkey's dream") or "*anestesia de caballo*" ("horse anesthesia"), two slang terms common in Puerto Rico for varieties of heroin cut with ketamine.

Similarly, familiarity with local drug market conditions and sales methods, drugs available, units of sale and typical packaging and the like will go far to convince drug users that they are talking to someone who "knows what time it is" and is thus worth talking to, and perhaps even worth telling the truth to.

Another topic interviewers should be familiar with is typical local criminal income generation strategies and the terminology associated with them. For example, in New York City, "jostling" means picking pockets or purses on the subway (from the charge), while "breaking bottles" refers to a recently popular hustle where the hustler contrives to bump into an affluent tourist and drop a gift-wrapped bottle of expensive liquor, breaking it, setting up a demand that the mark compensate the hustler for the value of the broken "gift" (which is in fact a bottle from a bar garbage can refilled with tea or water and a small amount of liquor for the smell).

Cultural competence training should also include training about other factors relevant to arrestees' lives, including local social welfare and income-maintenance programs that many arrestees rely upon, local places and events impacting communities with high rates of arrest and the like. The goal is simply to maximize the interviewers' familiarity with the social worlds inhabited by the interviewees: the fewer things the interviewer needs to have explained, the more likely the interviewee is to trust him/her, and thus provide accurate data about illegal acts.

Summary/Conclusion

Gathering accurate data about drug use and local drug market conditions among arrestees presents considerable methodological challenges; the most overcomeable of these may be improving participants' willingness to truthfully disclose drug use. We have presented strategies for increasing the likelihood that arrestees will do so, based in our experience in gathering data among drug users, and analysis of the correlates of non-disclosure in the ADAM program.

References

Brookman, Fiona. 2010. Beyond the interview: complementing and validating accounts of incarcerated violent offenders. In Wim Bernasco (Ed.), *Offenders on Offending: Learning About Crime From Criminals.* Devon: Willan Publishing.

Copes, H. and A. Hochstetler. 2010. Interviewing the incarcerated: pitfalls and promises. In Wim Bernasco (Ed.), *Offenders on Offending: Learning About Crime From Criminals.* Devon: Willan Publishing.

Curtis R and T Wendel. 2000. Toward the Development of a Typology of Illegal Drug Markets. In M Natarajan and M Hough (eds.), *Illegal Drug Markets: From Research to Policy, Crime Prevention Studies*, Vol 11. New York: Criminal Justice Press.

Curtis R., T. Wendel, and B. Spunt. 2001. *We Deliver: The Gentrification of Drug Markets on Manhattan's Lower East Side*. Washington, D.C.: National Institute of Justice.

Curtis, R. 2010. Getting good data from people that do bad things: effective methods and techniques for conducting research with hard-to-reach and hidden populations. In Wim Bernasco (Ed.), *Offenders on Offending: Learning About Crime From Criminals.* Devon: Willan Publishing.

Curtis, R., and Wendel, T. 2007. "You're Always Training The Dog": Strategic Interventions To Reconfigure Drug Markets. *Journal of Drug Issues, 37*(4): 867-891.

Del Boca, F., and Noll, J. 2000. Truth Or Consequences: The Validity Of Self-Report Data In Health Services Research On Addictions. *Addiction 95*(Supplement 3): S347-60.

Golub, A., H. Liberty and B. Johnson. 2005. The Variation in Arrestees' Disclosure of Recent Drug Use Across Locations, Drugs, and Demographic Characteristics. *Journal of Drug Issues 35*(4): 917–940.

Johnson, B., A. Taylor and A. Golub. 2005. Research Note: How Accurate Are Arrestees' Self-Reports Of Their Criminal Justice Histories? *Journal of Justice Research and Policy 7*(1): 81-102.

Lord, V. and P. Brennan. 2005. The Effects Of Interviewer Characteristics On Arrestees' Responses To Drug-Related Questions. *Applied Psychology in Criminal Justice 1*(1): 36-55.

Morselli, C. and P. Tremblay. 2010. Interviewing and validity issues in self-report research with incarcerated offenders: the Quebec inmate survey. In Wim Bernasco (Ed.), *Offenders on Offending: Learning About Crime From Criminals.* Devon: Willan Publishing.

Wendel, T. and R. Rothchild, R. Curtis, K. Corcoran, T. Hanlin, B. Eng, M. Zedeck. 2003. Heroin Cut With Morphine?: An Ethnographic-Forensic Chemistry Case Study. *Addiction Research and Theory*, 11, 5, 349-366.

Wendel, T., B. Khan, K. Dombrowski, R. Curtis, K. McLean, E. Misshula. In press. *The Dynamics Of Retail Methamphetamine Markets In New York City*. Washington, D.C.: National Institute of Justice.

Wendel,T. and R. Curtis. 2000. The Heraldry of Heroin: "Dope Stamps" and the Dynamics of Drug Markets in New York City. *Journal of Drug Issues*, 30(2).